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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

ROSA MARTINEZ and JIMMY)
 HOWARD, on behalf of themselves and all)
 others similarly situated,)
 Plaintiffs,)
 v.)
 MICHAEL J. ASTRUE, Commissioner of)
 Social Security, in his official capacity;)
 Defendant.)

Case No. C08-4735 CW
E-FILED CASE

**STIPULATION AND ORDER TO
 CONTINUE DATES
 AS MODIFIED**

Subject to the approval of the court, it is hereby stipulated by and between the parties hereto through their respective attorneys of record that the hearing date in this case be extended from February 26, 2009 to March 12, 2009. Plaintiff's briefs will be filed on February 17, 2009. Any additional briefing by defendant will be filed no later than February 27, 2009.

The parties have stipulated to a mandatory settlement conference with Judge Edward Chen, who is available on March 6, 2009. With the Court's permission, the parties would like to attempt to settle the case prior to the hearing.

RESPECTFULLY SUBMITTED,
JOSEPH P. RUSSONIELLO
United States Attorney

Dated: February 11, 2009

_____/s/_____
ANDREW Y.S. CHENG
Assistant United States Attorney

Dated: February 11, 2009

_____/s/_____
DAVID FRY
Attorney for Plaintiff

The Court, having considered the stipulation of the parties, orders that the hearing be continued to March 12, 2009, at 2:00 p.m. Plaintiff's reply briefing will be due on February 17, 2009. Any additional briefing, if any, filed by the Federal Defendant will be due on February 27, 2009.

All other requirements from this Court's Order of January 21, 2009 will remain the same.

The parties shall immediately notify the Court after the March 6, 2009 settlement conference whether the case has settled by filing a notice that same day.

IT IS SO ORDERED.

DATED: 2/18/09



CLAUDIA WILKEN
United States District Judge